

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2052 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

LAXMANBHAI WAGHJIBHAI SHARMA

Versus

DIST. SUPERINTENDENT OF POLICE

Appearance:

MR AR THACKER for Petitioner

MR HL JANI for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 16/12/96

ORAL JUDGMENT

Heard learned counsel for the parties.

2. The learned counsel for the petitioner submits that all the reliefs which have been prayed by the petitioner in this Special Civil Application have been given to the petitioner by respondents. The learned counsel for the petitioner further contended that the respondents have not given the benefit of the scheme of

higher grade scales, to the petitioner, which have been introduced vide even numbered Government Resolution dated 20.2.91 which has been substituted by the Resolution dated 5th July 1991 and further amended from time to time. This scheme has been introduced to deal with the problem of stagnation in many cadres due to absence or restricted changes of promotion.

3. The learned counsel for the respondent very fairly submitted that the case of the petitioner shall be considered for giving him the benefit of scheme of higher grade scales as introduced by Resolution dated 20.2.91 which has been substituted by Resolution dated 5.7.91, and further amended from time to time.

4. In view of this statement made by the learned counsel for the respondents, interest of justice will be met in case this writ petition is disposed of with direction to the respondents to consider the case of petitioner for giving him the benefits of the said scheme, within a period of three months from the date of receipt of certified copy of this order. In case the petitioner is found eligible for the benefits of the higher grade scales under the aforesaid scheme, then he shall be entitled for all consequential benefits which shall be determined and paid to the petitioner within two months next thereafter.

5. The Special Civil Application stands disposed of in aforesaid terms. Rule stands disposed of accordingly with no order as to costs.

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